

**CITY OF PALM BEACH GARDENS  
CITY COUNCIL  
Agenda Cover Memorandum**

**Meeting Date: February 5, 2026  
Ordinance 8, 2026**

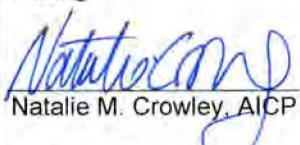
**Subject/Agenda Item:**

**City-Initiated Land Development Regulations Amendment**

**First Reading and Public Hearing:** A City-initiated amendment to Chapter 78 – Land Development of the City's Code of Ordinances at Article IV. – Zoning Districts and at Article V. Supplementary District Regulations to update various sections primarily related to mixed-use development (MXD) and provide consistency with the City's Comprehensive Plan.

**[X] Recommendation to APPROVE**

**[ ] Recommendation to DENY**

<p>Reviewed by:</p> <p>Assistant Director of Planning and Zoning   Joann Skara, AICP</p> <p>Development Compliance Manager  N/A</p> <p>Olivia Ellison, AICP</p> <p>Director of Planning and Zoning   Natalie M. Crowley, AICP</p> <p>City Attorney   R. Max Lohman, Esq.</p> <p>Approved By: City Manager   Ronald M. Ferris</p>	<p>Originating Dept.:</p> <p>Planning and Zoning: Planning Manager   Samantha Morrone, AICP</p> <p>[ ] Quasi-Judicial [X] Legislative [X] Public Hearing</p> <p>Advertised:</p> <p>[X] Required [ ] Not Required Date: <u>01/26/2026</u> Paper: <u>Palm Beach Post</u></p> <p>Affected parties:</p> <p>[ ] Notified [X] Not Required</p>	<p>Finance:</p> <p>Accountant  N/A Yentl Cortez</p> <p>Fees Paid: <u>Yes</u></p> <p>Funding Source:</p> <p>[ ] Operating [X] Other <u>N/A</u></p> <p>Budget Acct.#: <u>N/A</u></p> <p>Effective Date: <u>N/A</u></p> <p>Expiration Date: <u>N/A</u></p>	<p>Council Action:</p> <p>[ ] Approval [ ] Approval with Conditions [ ] Denial [ ] Continued to: _____</p> <p>Attachments:</p> <ul style="list-style-type: none"> <li>• Ordinance 8, 2026</li> </ul>
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## **EXECUTIVE SUMMARY**

The request is a City-initiated amendment to the Land Development Regulations (LDR) to update various sections primarily related to mixed-use development (MXD) and provide consistency with the City's Comprehensive Plan. Staff recommends approval of Ordinance 8, 2026.

There is also a companion amendment to the Comprehensive Plan (Ordinance 7, 2026), which includes modifications to the Future Land Use element, Intergovernmental Coordination element, and Economic Development element primarily related to MXD regulations, bioscience uses, and the former Bioscience Land Protection Advisory Board (BLPAB), as well as a modification to the Future Land Use map related to the parcels identified under the Bioscience Research Protection Overlay (BRPO).

## **BACKGROUND**

On April 1, 2010, the City Council adopted Ordinance 33, 2009, amending the Land Development Regulations at Section 78-157 to provide criteria for bioscience mixed use developments and adopting new Section 78-232 to establish design guidelines applicable to the Scripps Florida Phase II development.

## **PROPOSED LDR TEXT AMENDMENTS**

The amended section titles of the Code are listed below. Following each section, staff comments explaining the purpose and intent of the proposed change(s) are provided.

### **SUBPART B - LAND DEVELOPMENT REGULATIONS CHAPTER 78 - LAND DEVELOPMENT ARTICLE IV. – ZONING DISTRICTS**

#### **Sec. 78-153. - Nonresidential zoning district regulations.**

**Staff Comment:** Section 78-153 Table 12 is amended to clarify that Note (5) is not applicable to Professional Office (PO) or Neighborhood Commercial (CN) zoning and to clarify that the setback for all other nonresidential zoning districts abutting residential zoning districts is intended to be a total of 75 feet rather than an additional 75 feet.

#### **Sec. 78-154. - PUD—Planned unit development overlay district.**

**Staff Comment:** Section 78-154(g)(1) Table 13 is amended to include the maximum base density of seven (7) dwelling units per acre for MXD zoning and the PUD density bonus of three (3) dwelling units per acre for an MXD PUD located east of Beeline Highway. This is consistent with the companion Comprehensive Plan text amendment. Additionally, the MXD PUD density bonus of three (3) dwelling units per acre was previously included in Section 78-154 for projects providing affordable or workforce housing but was inadvertently removed through the adoption of Ordinance 4, 2023.

Staff Comment: Section 78-154(g)(4)a is amended to remove the requirement for a minimum of three (3) types of land uses as well as the restriction of a maximum of 60 percent of the site area for any single use in an MXD PUD. This is consistent with the MXD density and intensity standards amended in Section 78-157 as well as the existing percentage mix of MXD land uses outlined in the Comprehensive Plan. Additionally, subsection (g)(4)c is being removed due to redundancy with subsection (g)(2).

Staff Comment: Section 78-154(g)(7) is amended (and Table 14 removed) to simplify the minimum size of a PUD for consistency with the minimum site area for the underlying zoning district per Code Section 78-153.

Staff Comment: Section 78-154(i) is removed to minimize redundancy and ensure consistency with the "Wireless Telecommunication Facilities" use outlined in Section 78-159.

#### **Sec. 78-155. - PCD—Planned community development overlay district (PCD).**

Staff Comment: Section 78-155(c) is amended to allow PCDs to have multiple underlying zoning districts, which is consistent with the Comprehensive Plan and many approved PCD developments throughout the City.

Staff Comment: Section 78-155(e)(1) Table 15 is amended to include the maximum base density of seven (7) dwelling units per acre for MXD zoning and the PCD density bonus of three (3) dwelling units per acre for an MXD PCD located east of Beeline Highway. This is consistent with the amendment to Section 78-154 as well as the companion Comprehensive Plan text amendment.

Staff Comment: Section 78-155(j) is amended to remove the requirement for a minimum of three (3) types of land uses as well as the restriction of a maximum of 60 percent of the site area for any single use in an MXD PCD. This is consistent with the MXD density and intensity standards amended in Section 78-157 as well as the companion Comprehensive Plan text amendment.

Staff Comment: Section 78-155(m) is amended (and Table 16 removed) to simplify the minimum size of a PCD to be 50 acres unless otherwise specifically approved by the City Council.

Staff Comment: Section 78-155(s) is being removed to minimize redundancy and ensure consistency with the "Wireless Telecommunication Facilities" use outlined in Section 78-159.

#### **Sec. 78-157. - MXD—Mixed use development district.**

Staff Comment: Section 78-157(c) is amended to remove the restriction of a maximum of 60 percent of the site area for any single use in an MXD development. The density and

intensity standards are outlined in new subsection (f) below.

Staff Comment: Section 78-157(e)(4) is amended to encourage an appropriate mix and integration of uses in an MXD development.

Staff Comment: Section 78-157(e)(6) is amended to provide consideration for urban landscaping design within the TOD.

Staff Comment: Section 78-157(f) is removed and replaced (below) for consistency with the companion Comprehensive Plan text amendment.

Staff Comment: Section 78-157(g) is removed to be consistent with the intensity standards and percentage mix of residential and nonresidential uses in an MXD project outlined in the companion Comprehensive Plan text amendment.

Staff Comment: Section 78-157(h) is removed; however, this information is being maintained in the Comprehensive Plan. The Bioscience Research Protection Overlay (BRPO) is being modified through a companion Comprehensive Plan map amendment to remove the overlay from all parcels except for those within the Alton Planned Community Development (PCD), which it is still applicable to.

Staff Comment: Section 78-157(f) is provided as a replacement to the existing subsection (f) to be consistent with the intensity standards and percentage mix of residential and nonresidential uses in an MXD project outlined in the Comprehensive Plan Policy 1.1.1.15.

**Sec. 78-159. – Permitted uses, minor and major conditional uses, and prohibited uses.**

Staff Comment: Section 78-159(j)(3) and (4) are amended to ensure consistency with recently approved state legislation regarding Certified Recovery Homes.

**ARTICLE V. – SUPPLEMENTARY DISTRICT REGULATIONS  
DIVISION 4. - PARKWAY OVERLAY DISTRICT**

**Sec. 78-232. - Scripps Florida Phase II—Design guidelines.**

Staff Comment: Section 78-232 is removed and reserved as these provisions are captured by other existing regulations of the City's Code and the approved design guidelines for the Alton PCD.

**STAFF ANALYSIS**

The proposed amendments to the Land Development Regulations (LDRs) are intended to clarify the existing density and intensity standards applicable to MXD developments

and provide consistency between the Comprehensive Plan and Land Development Regulations.

**PUBLIC NOTICE**

The petition was advertised in the *Palm Beach Post* on January 26, 2026.

**PLANNING, ZONING, AND APPEALS BOARD (PZAB)**

On January 14, 2026, the PZAB recommended approval of the LDR amendment (LDRA-24-12-0003) by a vote of 7 to 0.

**STAFF RECOMMENDATION**

Staff recommends approval of Ordinance 8, 2026 as presented.

## ORDINANCE 8, 2026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78 – LAND DEVELOPMENT BY REPEALING SECTION 78-153. – NONRESIDENTIAL ZONING DISTRICT REGULATIONS. AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78 AT SECTION 78-154. – PUD—PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT. BY AMENDING SUBSECTIONS (g)(1), (g)(4), AND (g)(7) AND BY REPEALING SUBSECTION (i) IN ITS ENTIRETY; FURTHER AMENDING CHAPTER 78 AT SECTION 78-155. – PCD—PLANNED COMMUNITY DEVELOPMENT OVERLAY DISTRICT (PCD). BY AMENDING SUBSECTIONS (c), (e), (j), AND (m) AND BY REPEALING SUBSECTION (s) IN ITS ENTIRETY; FURTHER AMENDING CHAPTER 78 AT SECTION 78-157. – MXD—MIXED USE DEVELOPMENT DISTRICT. BY REPEALING SUBSECTIONS (c), (e), AND (f) AND READOPTING SAME, AS REVISED, BY REPEALING SUBSECTIONS (g) AND (h) IN THEIR ENTIRETY, AND BY RENAMING SUBSECTIONS (i) THROUGH (l) AS SUBSECTIONS (g) THROUGH (j); FURTHER AMENDING CHAPTER 78 AT SECTION 78-159. – PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. BY REPEALING SUBSECTIONS (j)(3) AND (j)(4) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78 BY REPEALING SECTION 78-232. – SCRIPPS FLORIDA PHASE II—DESIGN GUIDELINES. IN ITS ENTIRETY; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78 – LAND DEVELOPMENT SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND OTHER PURPOSES.

**WHEREAS**, the City Council of the City of Palm Beach Gardens has determined that various sections of Chapter 78 of the City's Code of Ordinances need to be amended to provide clarity, organization, and internal consistency; and

**WHEREAS**, this Ordinance was reviewed by the Planning, Zoning, and Appeals Board at a public hearing on January 14, 2026, and received a recommendation of approval by a vote of 7 to 0; and

**WHEREAS**, the City Council deems approval of this Ordinance to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Palm Beach Gardens and the public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, that:

1           **SECTION 1.** Chapter 78 – Land Development of the Code of Ordinances of the  
 2 City of Palm Beach Gardens, Florida, is hereby amended by repealing Section 78-153. –  
 3 Nonresidential zoning district regulations. and readopting same, as revised; providing that  
 4 Section 78-153 shall hereafter read as follows:

5           **Sec. 78-153. – Nonresidential zoning district regulations.**

6           Table 12: Property Development Regulations—Nonresidential Zoning Districts

Property Development Regulation	PO	CN	CG-1	CG-2	CR	M-1	M-1A	M-2	Note
Minimum Site Area	15,000 Sq. Ft.	(3)	1 Ac.	1 Ac.	5 Ac.	20 Ac.	5 Ac.	10 Ac.	
Min. Building Site Area	None	None	None	None	None	10,000 Sq. Ft.	15,000 Sq. Ft.	20,000 Sq. Ft.	
Minimum Lot Width	100 Ft.	100 Ft.	100 Ft.	100 Ft.	100 Ft.	100 Ft.	100 Ft.	100 Ft.	(1)
Max. Lot Coverage	35%	35%	35%	35%	35%	40%	60%	60%	
Max. Building Height (Ft.)	36 Ft.	36 Ft.	36 Ft.	36 Ft.	36 Ft.	50 Ft.	50 Ft.	50 Ft.	
Min. Building Setback (Ft.)									
Front	25	40	50	40 (4)	40 (4)	25	25	35	
Side	(2)15	30	15 (5)	20 (4)(5)	20 (4)(5)	15 (5)	15 (5)	20 (5)	(5)
Side (Street Facing)	(2)15	30	40 (5)	30 (4)(5)	30 (4)(5)	15 (5)	15 (5)	25 (5)	(5)
Rear	(2)15	30	15 (5)	15 (4)(5)	15 (4)(5)	20 (5)	20 (5)	25 (5)	(5)

9           **Notes:**

10           (1) Lot width measured at the front building setback line.  
 11           (2) Fifteen feet; 27 feet above 36 feet. [RESERVED]  
 12           (3) One acre minimum and three acre maximum.  
 13           (4) Setback is the total of number of feet indicated plus one foot for each foot of height over 36 feet.  
 14           (5) Additional perimeter or boundary setback of 75 feet required when abutting a residential zoning  
 15           district.

16           **SECTION 2.** Chapter 78 – Land Development of the Code of Ordinances of the

17           City of Palm Beach Gardens, Florida, is hereby amended at Section 78-154. – PUD—  
 18           Planned unit development overlay district. by amending subsections (g)(1), (g)(4), and  
 19           (g)(7) and by repealing subsection (i) in its entirety; providing that Section 78-154 shall  
 20           hereafter read as follows:

21           **Sec. 78-154. – PUD—Planned unit development overlay district.**

22           (a) – (f) (These subsections shall remain in full force and effect as previously adopted.)

23           (g) *Density.* The density permitted in a PUD district shall not exceed the allowable  
 24           density permitted in the comprehensive plan. Residential densities permitted in a  
 25           PUD shall comply with the standards provided below.

(1) *Residential PUD.* Residential PUDs may comprise a mixture of residential dwelling unit types, limited to the maximum density set forth in Table 13, notwithstanding additional density bonuses as applicable in other sections of this code. The city council may approve the following bonus densities for areas developed as PUDs, as indicated in Table 13.

Table 13: PUD Residential Density Limits

<b>Density Category (1)</b>	<b>Maximum Base Density</b>	<b>Density Bonus</b>	<b>Maximum Dwelling Units Per Gross Acre with PUD Bonus Density</b>
Residential Low (RL)	4.0 du/ac	1.0 du/ac	5.0 du/ac
Residential Medium (RM)	7.0 du/ac	2.0 du/ac	9.0 du/ac
Residential High (RH)	10.0 du/-a/c	2.0 du/ac	12.0 du/ac
Mixed Use (MXD)	7.0 du/ac	3.0 du/ac (2)	10.0 du/ac (2)

Note: (1) Density categories as established by comprehensive plan.

(2) Density bonus only applicable for MXD projects located east of Beeline Highway.

(2) – (3) (These subsections shall remain in full force and effect as previously adopted.)

(4) Mixed use PUD.

- a. Establishment. Planned unit developments with an underlying mixed use future land use plan designation or more than one underlying future land use plan designation may be approved by the city council. Mixed use PUDs shall include a minimum of three types of land uses and shall be planned for a diversification of uses, structures, and open spaces in a manner compatible with surrounding land uses and development patterns. A single use shall not occupy more than 60 percent of the site area proposed for a mixed use PUD.
- b. Specific requirements. Requirements applicable to mixed use PUDs are established in section 78-157.
- c. Density bonus. See section 78-59.

(5) – (6) (These subsections shall remain in full force and effect as previously adopted.)

(7) Development area. The Mminimum development sizes for PUDs are established in Table 14. shall be consistent with the minimum site area required for the underlying zoning district provided in section 78-153.

(The remainder of this page intentionally left blank.)

1 Table 14: Minimum PUD Development Size

Area	Min. Development Size
North of PGA and West of Florida Turnpike	250 Acres
North of PGA and East of Florida Turnpike	50 Acres
West of Loxahatchee Slough	250 Acres
South of Donald Ross Road and between Central Boulevard and Alternate A1A	None
All Other Areas	1 Acre
Residential PUD with Commercial Area	20 Acres (1)

## 2 Note:

3 (1) Minimum arterial roadway frontage of 500 feet required.

4 (8) – (14) (These subsections shall remain in full force and effect as previously  
5 adopted.)

6 (h) (This subsection shall remain in full force and effect as previously adopted.)

7 (i) *Communication towers.* Any PUD of 50 acres or more may, if so approved by the  
8 city council, allow for a potential communication tower site, to be identified on the  
9 master development plan of the PUD. The tower site shall comply with the standards  
10 listed below.

11 (1) The boundaries of a tower site shall be clearly shown on a master site plan  
12 depicting all boundary lines for such site and must be at least 10,000 square  
13 feet, with minimum dimensions of 100 feet by 100 feet for PUDs. The closest  
14 boundary line of a tower site in a residential PUD to the closest boundary line  
15 of the nearest residential lot or recreational parcel shall be no less than 500  
16 feet.

17 (2) All towers shall be considered an accessory use in the PUD, and shall be  
18 required to meet all requirements for "wireless telecommunication facilities" set  
19 forth in section 78-159 of the Land Development Regulations.

20 (3) In a PUD with mixed residential and nonresidential uses, a building at least 40  
21 feet in height may substitute as a tower site upon which a telecommunications  
22 tower may be placed.

23 (4) The city council may waive or modify certain requirements for wireless  
24 telecommunication facilities, consistent with the provisions of section 78-158 of  
25 the Land Development Regulations.

26 (5) All obsolete or unused communication tower facilities shall be removed by the  
27 property owners' association (P.O.A.) of the PUD within six months of cessation  
28 of use.

29 (6) An application for approval to construct and/or operate a tower on a tower site  
30 shall show the location of the proposed placement of the tower site and, once  
31 approved by city council, such placement may not thereafter be changed  
32 without the prior approval by the city council.

1                   **SECTION 3.** Chapter 78 – Land Development of the Code of Ordinances of the  
 2 City of Palm Beach Gardens, Florida, is hereby amended at Section 78-155. – PCD—  
 3 Planned community development overlay district (PCD). by amending subsections (c),  
 4 (e), (j), and (m) and by repealing subsection (s) in its entirety; providing that Section 78-  
 5 155 shall hereafter read as follows:

6  
 7 **Sec. 78-155. – PCD—Planned community development overlay district (PCD).**

8                   (a) – (b) (These subsections shall remain in full force and effect as previously adopted.)

9  
 10 (c) **Zoning.** ~~Property shall be rezoned to a single~~ may have multiple underlying zoning  
 11 districts and a planned community district overlay district. The underlying zoning  
 12 district designation(s) shall be consistent with the comprehensive plan. The PCD  
 13 shall be developed consistent with the uses, property development regulations, and  
 14 other standards applicable to the underlying zoning district. However, the city council  
 15 may, as part of an overall PCD development order, establish use, property  
 16 development, and similar regulations for a specific PCD. In that event, the  
 17 requirements of the development order shall prevail over the requirements of the  
 18 underlying zoning district designation. In the event the proposed development of a  
 19 site within a PCD is not consistent with or comparable to the nature of the underlying  
 20 zoning district, such as the commercial portion of a residential PCD, the procedure  
 21 outlined below shall apply.

22                   (1) – (3) (These subsections shall remain in full force and effect as previously  
 23 adopted.)

24                   (d) (This subsection shall remain in full force and effect as previously adopted.)

25  
 26 (e) **Permitted uses.** Unless otherwise established by a PCD development order, the  
 27 uses permitted in the PCD district shall be governed by the uses permitted in the  
 28 underlying zoning district. The density permitted in a PCD shall not exceed the  
 29 allowable density permitted in the comprehensive plan, based upon the standards  
 30 listed below.

31                   (1) **Residential.** Some mixtures of residential types of dwelling units are permitted  
 32 and encouraged, limited to the maximum density set forth in Table 13,  
 33 notwithstanding additional density bonuses as applicable in other sections of  
 34 this Code. The city council may approve the following bonus densities for areas  
 35 developed as PCDs, as indicated in Table 15.

36  
 37                   Table 15: Maximum Residential Density in PCDs

Density Category (1)	Maximum Base Density	Density Bonus	Maximum Dwelling Units Per Gross Acre with Bonus Density
Residential Low (RL)	4.0	1.0 du/ac	5.0 du/ac
Residential Medium (RM)	7.0	2.0 du/ac	9.0 du/ac
Residential High (RH)	10.0	2.0 du/ac	12.0 du/ac
Mixed Use (MXD)	7.0	3.0 du/ac (2)	10.0 du/ac (2)

1 Note: (1) Density categories as established by comprehensive plan.

2 (2) Density bonus only applicable for MXD projects located east of Beeline Highway.

3 (2) (This subsection shall remain in full force and effect as previously adopted.)

4 (f) – (i) (These subsections shall remain in full force and effect as previously adopted.)

5 (j) *Mixed use PCD.*

6 (1) Mixed uses. PCDs with an underlying mixed use future land use plan  
 7 designation may be approved by the city council. Mixed use PCDs shall include  
 8 a minimum of three types of land uses and shall be planned for a diversification  
 9 of uses, structures, and open spaces in a manner compatible with surrounding  
 10 land uses and development patterns. A single use shall not occupy more than  
 11 60 percent of the site area proposed for a mixed use PCD.

12 (2) (This subsection shall remain in full force and effect as previously adopted.)

13 (k) – (l) (These subsections shall remain in full force and effect as previously adopted.)

14 (m) *Development area.* The Mminimum development sizes for PCDs are established in  
 15 Table 16. is 50 acres unless otherwise approved by the city council.

22 Table 16: Minimum PCD Development Size

Area	Min. Development Size
North of PGA and West of Florida Turnpike	250 Acres
North of PGA and East of Florida Turnpike	50 Acres
West of Loxahatchee Slough	250 Acres
South of Donald Ross Road and between Central Boulevard and Alternate A1A	None
All Other Areas	50 Acres
Mixed Use PCD	50 Acres (1)

23 Note:

24 (1) Minimum arterial roadway frontage of 500 feet required.

25 (n) – (r) (These subsections shall remain in full force and effect as previously adopted.)

26 (s) *Communication towers.* Any PCD of 50 acres or more may, if so approved by the  
 27 city council, allow for a potential communication tower site, to be identified on the  
 28 master development plan of the PCD. The tower site shall comply with the standards  
 29 listed below.

30 (1) The boundaries of a tower site shall be clearly shown on a master site plan  
 31 depicting all boundary lines for such site and must be at least 10,000 square  
 32 feet, with minimum dimensions of 100 feet by 100 feet for PCDs. The closest  
 33 boundary line of a tower site in a residential PCD to the closest boundary line  
 34 of the nearest residential lot or recreational parcel shall be no less than 500  
 35 feet.

36 (2) All towers shall be considered an accessory use in the PCD, and shall be  
 37 required to meet all requirements for "wireless telecommunication facilities" set

1 forth in section 78-159 of the Land Development Regulations.

2 (3) In a PCD with mixed residential and nonresidential uses, a building at least 40

3 feet in height may substitute as a tower site upon which a telecommunications

4 tower may be placed.

5 (4) The city council may waive or modify certain requirements for wireless

6 telecommunication facilities, consistent with the provisions of section 78-158 of

7 the Land Development Regulations.

8 (5) All obsolete or unused communication tower facilities shall be removed by the

9 property owners' association (P.O.A.) of the PCD within six months of cessation

10 of use.

11 (6) An application for approval to construct and/or operate a tower on a tower site

12 shall show the location of the proposed placement of the tower site and, once

13 approved by city council, such placement may not thereafter be changed

14 without the prior approval by the city council.

15

16 **SECTION 4.** Chapter 78 – Land Development of the Code of Ordinances of the

17 City of Palm Beach Gardens, Florida, is hereby amended at Section 78-157. – MXD —

18 Mixed use development district. by repealing subsections (c), (e), and (f) and readopting

19 same, as revised, by repealing subsections (g) and (h) in their entirety, and by renaming

20 subsections (i) through (l) as subsections (g) through (j); providing that Section 78-157

21 shall hereafter read as follows:

22

23 **Sec. 78-157. – MXD — Mixed use development district.**

24

25 (a) – (b) (These subsections shall remain in full force and effect as previously adopted.)

26

27 (c) *Land use.* In order to implement a MXD zoning designation, a minimum of two future

28 land use plan categories must be utilized. Unless waived by the city council pursuant

29 to this section, at least one of the implementing land use categories within an MXD

30 development must be residential. A single land use category shall not comprise more

31 than 60 percent of the gross land area of a MXD.

32

33 (d) (This subsection shall remain in full force and effect as previously adopted.)

34

35 (e) *MXD general development standards.* Unless waived by the city council pursuant to

36 this section or unless the city council has adopted design guidelines in accordance with

37 [sub]sections 78-154(c) or 78-155(c), the following standards shall apply to all MXD

38 PCD/PUDs.

39 (1) Development. All development in the MXD district shall be as a PUD or PCD.

40 (2) Pedestrian orientation. The individual uses, buildings, and development pods

41 within MXD developments shall provide the following:

42 a. Interconnecting pedestrian ways, plazas, trails, etc.;

43 b. Pedestrian connections to the city's parkway system;

44 c. Internalized pedestrian connections between residential and nonresidential

45 land uses; and

46 d. Multi-modal transportation accesses.

1 (3) Frontage. At least one portion of the perimeter of any MXD shall be located on an  
 2 arterial road as defined by the city's comprehensive plan.

3 (4) Permitted and conditional uses. Permitted and conditional uses within an MXD  
 4 development are allowed as set forth in section 78-159, Table 21, in  
 5 accordance with the land-use categories chosen for the PCD/PUD overlay or  
 6 as may be provided in the development order approved by the city council. The  
 7 combination of uses in an MXD development shall be integrated to create a  
 8 functional, multi-faceted development where the impacts from differing uses,  
 9 which are expected to benefit from the close proximity of complementary uses,  
 10 are mitigated through site design techniques.

11 (5) Parking. Parking and loading shall be provided as required in division 9 of  
 12 article V.

13 (6) Landscaping. Landscaping shall be provided as required in division 8 of article  
 14 V. Consideration for landscaping waivers may be given for projects located in  
 15 urban settings such as the TOD district, consistent with section 78-158.

16 (7) (This subsection shall remain in full force and effect as previously adopted.)

17

18 (f) ~~Residential MXD PCD/PUD intensity measures and special definitions.~~ Residential  
 19 MXD PCD/PUDs shall comply with the intensity measures indicated in Table 18,  
 20 unless one or more intensity measures are waived by the city council.

21

22

Table 18: Residential MXD Intensity Measures and Special Definitions

Land Use	Land Allocation	Lot Coverage (1)	Building Height	Special Definitions
Open Space	Min: 15%	Not Applicable	Not Applicable	None
Neighborhood Commercial	Min: 2% Max: 30%	Max: 70%	Min: 2 Floors Max: 4 Floors	(2)
Residential High Density	Min: 20% Max: 60%	Max: 50%	Min: 2 Floors Max: 4 Floors	(3)
Residential Low Density	Min: 0% Max: 60%	Max: 50%	Max: 2.5 Floors	
Employment Center	Min: 2% Max: 30%	Max 70%	Max: 4 Floors	(4)

## Notes:

(1) Lot coverage requirement is parcel-based, dependent on the specific land use proposal.

(2) Neighborhood commercial parcels shall be used for community-serving retail, service, office, and business uses.

(3) The minimum requirement for residential high land use as determined by Table 18, shall be located above the ground floor of a nonresidential use. The city council may waive the vertical integration requirement upon consideration of a recommendation by the planning, zoning, and appeals board. Residential high parcels shall have a maximum density of 15 units per acre as a bonus for implementation of planned, and vertically and horizontally integrated development. The area allocated for both residential low and residential high land uses shall not exceed the 60 percent maximum in this table. Density shall be consistent with the requirements of the comprehensive plan and this chapter.

(4) Employment center parcels shall be used for corporate offices, research and educational facilities, light industry, hotels, warehousing, and similar uses. Employment Center lots generally shall be grouped together.

1 (g) ~~Nonresidential MXD PCD/PUD intensity measures.~~ Nonresidential MXD PCD/PUDs  
 2 shall, unless waived by the city council, be consistent with section 78-158 and  
 3 comply with the intensity measure indicated in Table 19.

4 (1) ~~Nonresidential criteria.~~ The mandatory residential requirement of MXD  
 5 developments may be waived by the city council if the development order  
 6 application complies with any two of the criteria listed below:

7 a. The parcel represents infill development and is surrounded on at least three  
 8 sides by nonresidential land uses, including manmade and natural barriers  
 9 such as canals, railroad tracks, and major arterial roadways.

10 b. The density or intensity of existing or future land uses immediately  
 11 surrounding the parcels are compatible with nonresidential uses.

12 c. The surrounding existing, or planned and approved built environment is at  
 13 least 60 percent residential, and nonresidential uses are determined to  
 14 provide for such benefits as greater horizontal integration of uses. The  
 15 measurement shall be determined on a lineal basis, as measured around  
 16 the perimeter of the affected property.

17 d. The potential for providing an economically feasible and integrated  
 18 residential component that enhances and is complementary to other MXD  
 19 uses is limited by the size of a parcel and the overall site configuration.

20  
 21 Table 19: Nonresidential MXD PCD/PUD Intensity Measures

Land Use*	Land Allocation	Lot Coverage	Building Height
Open Space	Min: 15%	Not Applicable	Not Applicable
Commercial	Min: 0%	Max: 50%	Min: 2 Floors
Recreation	Max: 30%		Max: 4 Floors
Commercial	Min: 0%	Max: 50%	Min: 2 Floors
Industrial	Max: 60%		Max: None
Industrial	Min: 0%	Max: 50%	Min: 2 Floors
Institutional	Max: 60%		Max: 4 Floors
Institutional	Min: 0%	Max: 50%	Min: 2 Floors
Professional Office	Max: 60%		Max: 4 Floors
Professional Office	Min: 2%	70%	Min: 2 Floors
			Max: None

22 Note:

23 \*Excluding the land allocation formula, lot coverage, and building height limits, land uses are defined  
 24 as established in the Future Land Use Element of the city's comprehensive plan.

25  
 26 (h) ~~BioScience MXD PCD/PUD intensity measures.~~ Unless waived by city council,  
 27 BioScience MXD PCD/PUDs shall conform to the requirements of section 78-158  
 28 and the intensity measures set forth in Table 19a.

29 (1) A BioScience mixed use development shall include, at a minimum, open space  
 30 and BioScience uses. Uses within a BioScience MXD PCD/PUD shall be  
 31 located to encourage clustering for the purposes of scientific and economically  
 32 productive exchange among researchers, scientists, administrators, students,  
 33 and others involved in the BioScience industries. At least a portion of the  
 34 BioScience MXD PCD/PUD shall be located within the city's designated  
 35 BioScience Research Protection Overlay. A BioScience MXD PCD/PUD shall

1 be designed to create an urban, pedestrian-oriented environment; provide for  
 2 a mix of uses such as commercial, transportation, office, laboratory research,  
 3 educational, and residential uses for the daily needs of the residences and  
 4 workforce; and encourage walking, biking, and other modes of nonvehicular  
 5 transportation to reduce the need for local vehicular traffic.  
 6  
 7

Table 19a: BioScience MXD PCD/PUD Intensity Measures

Land Use	Land Allocation	Lot Coverage	Building Height	Special Definitions
Open Space	Min: 20%	Not Applicable	Not Applicable	
Commercial	Min: 2% Max: 30%	Max: 50%	Max: 4 Floors	
Residential High Density	Min: 5% Max: 35%	Max: 50%	Max: 4 Floors	
Residential Low Density	Min: 2% Max: 35%	Max: 50%	Max: 3 Floors	—
Employment Center	Min: 20% Max: 60%	Max: 70%	Max: 4 Floors	(4)

## Notes:

(1) Minimum and maximum land allocations are based on the gross acreage for the project. The open space requirement is the minimum total amount of open space to be provided within the PCD/PUD, including all individual site plans within the PCD/PUD.

(2) Lot coverage shall be calculated by individual parcel.

(3) The height limit for employment center buildings (as defined below) located within the BioScience MXD PCD/PUD shall be a maximum of 150 feet\* if the employment center buildings meet all of the following criteria:

- Located within the designated BioScience Research Protection Overlay ("BRPO");
- Include a minimum of 100 contiguous acres within the designated BRPO;
- Located within a development of regional impact; and
- Located in a project east and immediately adjacent to Interstate 95.

\* This height limit is not subject to waiver by the city council.

(4) Special definitions:

*Employment center buildings* shall be defined as those buildings used for bioscience technology research and development, laboratories, and those ancillary uses to bioscience including corporate offices, medical offices, research and educational facilities, light industry, hospitals, and conference hotels.

*Employment center* shall be defined as the land use component category within the BioScience MXD PCD/PUD that is regulated by the minimum and maximum gross land area allocations, lot coverage, and height regulations set forth above. Employment centers shall be designated on the MXD PUD or PCD master plan. Employment center buildings as defined above and any support buildings and uses specified in the zoning code shall be the only permitted buildings within an employment center.

(5) The overall height limit and lot coverage requirements for buildings that have a vertical integration of residential and nonresidential uses shall be determined by the maximum allowable height and lot coverage permitted within any one of the categories used as listed in Table 19a.

(f) **MXD PUD/PCD intensity measures.** MXD PCD/PUDs shall comply with the intensity measures indicated in Table 18, unless one or more intensity measures are waived by the city council.

Table 18: Maximum Intensity Standards for MXD (1)

Land Use Component	Land Allocation/Gross Unit per acre	Maximum Lot Coverage (ground-floor square footage)	Height
Residential (2)	7.0 du/gross acre		65 feet
Non-residential (3)	40% of gross land area	50%	65 feet or 4 floors, whichever is greater

### Notes:

- (1) For MXD densities and intensities located within the TOD District, refer to section 78-222.
- (2) The residential component shall be between 45 and 65 percent of the total Mixed Use acreage.
- (3) The non-residential component shall be between 35 and 55 percent of the total Mixed Use acreage.

(f)(g) **Community design.** As part of the overall development order application, a request for approval of an MXD development shall include a specific community design element. The community design element shall be both written and graphic, and, at a minimum, shall contain the information listed below, unless the city council has adopted specific design guidelines for a particular MXD PCD/PUD in accordance with [sub]section 78-155(c).

(1) – (8) (These subsections shall remain in full force and effect as previously adopted.)

**(f)(h) PGA Boulevard corridor overlay.** For the purposes of this section, all development located within the PGA Boulevard corridor overlay shall comply with division 2 of article V.

(k)(i) *Minimum development standards.* MXD developments shall comply with the minimum standards listed below.

(1) – (3) (These subsections shall remain in full force and effect as previously adopted.)

(4)(i) **Waivers.** A development order application for an MXD PCD/PUD may request one or more waivers from the standards of the MXD zoning district or other sections of the city's land development regulations, subject to the provisions of section 78-158.

**SECTION 5.** Chapter 78 – Land Development of the Code of Ordinances of the City of Palm Beach Gardens, Florida, is hereby amended at Section 78-159. – Permitted uses, minor and major conditional uses, and prohibited uses. by repealing subsections (j)(3) and (j)(4) and readopting same, as revised; providing that Section 78-159 shall hereafter read as follows:

**Sec. 78-159. – Permitted uses, minor and major conditional uses, and prohibited uses.**

(a) – (i) (These subsections shall remain in full force and effect as previously adopted.)

(j) *Additional standards.* The following standards apply to specific uses as indicated in the "Note" column of Table 21.

1 (1) – (2) (These subsections shall remain in full force and effect as previously  
2 adopted.)  
3 (3) Community residential home, Type I. Shall operate consistent with the  
4 standards listed below.  
5 a. Shall operate with not more than six residents, or as otherwise provided by  
6 state law.  
7 b. Shall be located and operated consistent with the requirements of F.S.  
8 Chapter 397 or 419, whichever is applicable, as amended.  
9 c. Shall obtain all licenses required by state law or the Palm Beach County  
10 Public Health Department.  
11 d. All community residential homes shall comply with amendments to  
12 applicable state law.  
13 (4) Community residential home, Type II.  
14 a. Shall operate with not less than seven but not more than 14 residents, or as  
15 otherwise provided by state law.  
16 b. Shall be located and operated consistent with the requirements of F.S.  
17 Chapter 397 or 419, whichever is applicable, as amended.  
18 c. Shall obtain all licenses required by state law or the Palm Beach County  
19 Public Health Department.  
20 d. All community residential homes shall comply with amendments to  
21 applicable state law.  
22 (5) – (79) (These subsections shall remain in full force and effect as previously  
23 adopted.)  
24

25 **SECTION 6.** Chapter 78 – Land Development of the Code of Ordinances of the  
26 City of Palm Beach Gardens, Florida, is hereby amended by repealing Section 78-232. –  
27 Scripps Florida Phase II — Design Guidelines. in its entirety; providing that Section 78-  
28 232 shall hereafter read as follows:

29 **Sec. 78-232. Scripps Florida Phase II — Design guidelines. – Reserved.**

30 (a) *Purpose and intent.* The purpose and intent of the Scripps Florida Phase II Overlay  
31 Design Guidelines (SFDG) are to incorporate design guidelines for the Scripps  
32 Florida Phase II/Briger PCD into the city's land development regulations. The subject  
33 guidelines shall be approved by the city council and shall establish development  
34 standards within the Scripps Florida Phase II/Briger PCD. The intent of the  
35 guidelines is to encourage the development of a pedestrian oriented mixed use  
36 community centered on bioscience, research and development, and other related  
37 uses.  
38

39 (b) *Applicability.* The design guidelines shall apply to all districts within the PCD. In the  
40 event of a conflict between the SFDG and any other city land development  
41 regulations, the SFDG shall prevail. However, in those cases where the SFDG are  
42 silent, the underlying land development regulations shall prevail.  
43  
44

1 (c) *Use regulations.* Permitted uses shall be as set forth in the "list of permitted uses"  
2 attached to and incorporated in the Scripps Florida Phase II/Briger PCD  
3 development order. No amendment to the list of permitted uses shall occur without  
4 approval by the city council.

5 (d) *Height regulations.* Height restrictions shall be in accordance with Table 19a in  
6 section 78.157 of the city's LDRs. However, for all buildings and/or structures within  
7 the employment center district when measuring building height, roof mounted  
8 equipment shall not be included in such measurement. All buildings and/or  
9 structures within the employment center district within the Scripps Florida Phase  
10 II/Briger PCD shall adhere to the following additional restrictions:  
11 (1) All buildings and/or structures located more than 55 feet but less than 100 feet  
12 from the northern boundary of the employment center district shall be limited to  
13 a maximum height of 75 feet.  
14 (2) All buildings and/or structures located more than 100 feet but less than 150 feet  
15 from the northern boundary of the employment center district shall be limited to  
16 a maximum height of 100 feet.  
17 (3) All buildings and/or structures located 150 feet, or more, south of the northern  
18 boundary of the employment center district shall be limited to a maximum  
19 height of 150 feet.  
20 (4) No buildings and/or structures shall be located within the 55 feet of the  
21 employment center district's southern boundary.  
22 (5) All buildings and/or structures located more than 55 feet but less than 100 feet  
23 from the southern boundary of the employment center district shall be limited  
24 to a maximum height of 75 feet.  
25 (6) All buildings and/or structures located more than 100 feet but less than 150 feet  
26 from the southern boundary of the employment center district shall be limited  
27 to a maximum height of 100 feet.  
28 (7) All buildings and/or structures located 150 feet, or more, north of the southern  
29 boundary of the employment center district shall be limited to a maximum  
30 height of 150 feet.  
31 (8) In order to be eligible for the 150-foot maximum building height a building  
32 and/or structure must be satisfy the location requirements of both subsection  
33 78.232(d)(3) and subsection 78.232(d)(7).  
34 (e) *Amendments to design guidelines.* Amendments to the design guidelines are  
35 permitted. For the purpose of this section, two types of amendments shall be  
36 allowed:  
37 (1) Major amendments; and  
38 (2) Minor amendments.

39 (f) *Major amendments.* Major amendments shall be approved by the city council by  
40 resolution. Major amendments to the design guidelines shall include the following:  
41 (1) Character and appearance. Any amendment which would negatively impact  
42 the character or the appearance of those standards within the design  
43 guidelines.

1 (2) ~~Amenities. Any reduction that would materially decrease the net number or size~~  
2 ~~of amenities, including, but not limited to, parks, open space areas, and~~  
3 ~~pedestrian linkages contained within the design guidelines.~~  
4 (3) ~~Architectural style. Any change in the architectural styles listed that result in a~~  
5 ~~reduction of standards contained within the design guidelines.~~  
6 (4) ~~Other changes. Any change to the standards when considered cumulatively~~  
7 ~~with prior minor amendments which, as determined by the growth management~~  
8 ~~administrator, deviates materially from the approval granted by the planning,~~  
9 ~~zoning, and appeals board or city council.~~  
10 (g) ~~Minor amendments. Minor amendments are changes to the approved design~~  
11 ~~guidelines that are not considered major amendments as previously defined. Minor~~  
12 ~~amendments may be approved by the growth management administrator in~~  
13 ~~consultation with other city staff and the development review committee.~~

14 (h) *Targeted Expedited Permitting Program (TEPP).*

15 (1) ~~All development applications that are submitted that are within the boundary of~~  
16 ~~the employment center district as delineated on the Scripps Florida Phase~~  
17 ~~II/Briger PCD plan, including, but not limited to, plat approvals, site plans, PCD~~  
18 ~~amendments, and administrative approvals, shall be reviewed under those~~  
19 ~~standards set forth in section 78-57 of the city's land development regulations~~  
20 ~~relating to targeted expedited permitting.~~  
21 (2) ~~Unless otherwise determined by the growth management administrator, all~~  
22 ~~other development applications, including, but not limited to, plat approvals,~~  
23 ~~site plans, PCD amendments, and administrative approvals that are submitted~~  
24 ~~for the area outside the employment center district shall be processed by the~~  
25 ~~growth management department under those standards set forth in section 78-~~  
26 ~~57 of the city's land development regulations relating to targeted expedited~~  
27 ~~permitting.~~  
28

29 **SECTION 7.** All ordinances or parts of ordinances in conflict be and the same are  
30 hereby repealed.  
31

32 **SECTION 8.** Should any section or provision of this Ordinance or any portion thereof,  
33 any paragraph, sentence, or word be declared by a court of competent jurisdiction to be  
34 invalid, such decision shall not affect the validity of the remainder of this Ordinance.  
35

36 **SECTION 9.** Specific authority is hereby granted to codify this Ordinance.  
37

38 **SECTION 10.** This Ordinance shall become effective immediately upon adoption.  
39

40 (The remainder of this page intentionally left blank.)  
41  
42  
43  
44  
45  
46

1        **PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026, upon first reading.  
2

3        **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2026, upon  
4 second and final reading.  
5  
6

7        **CITY OF PALM BEACH GARDENS**                    **FOR**                    **AGAINST**            **ABSENT**  
8

9        BY: \_\_\_\_\_  
10        Marcie Tinsley, Mayor                            \_\_\_\_\_                    \_\_\_\_\_                    \_\_\_\_\_  
11

12        Dana P. Middleton, Vice Mayor                    \_\_\_\_\_                    \_\_\_\_\_                    \_\_\_\_\_  
13

14        Chelsea Reed, Councilmember                    \_\_\_\_\_                    \_\_\_\_\_                    \_\_\_\_\_  
15

16        Robert G. Premuroso, Councilmember            \_\_\_\_\_                    \_\_\_\_\_                    \_\_\_\_\_  
17

18        John D. Kemp, Councilmember                    \_\_\_\_\_                    \_\_\_\_\_                    \_\_\_\_\_  
19

20        **ATTEST:**  
21

22        BY: \_\_\_\_\_  
23        Patricia Snider, CMC, City Clerk  
24

25        **APPROVED AS TO FORM AND**  
26        **LEGAL SUFFICIENCY**  
27

28        BY: \_\_\_\_\_  
29        R. Max Lohman, City Attorney  
30

